

Attorney Docket No.: 9335-8CT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Pollard et al.

Confirmation No.: 4002

Application No.: 10/685,260

Group Art Unit: 3653

Filed: October 14, 2003

Examiner: M. Butler

For: DEVICE TO COUNT AND DISPENSE ARTICLES

Date: February 29, 2008

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated November 29, 2007 at least twice rejecting or finally rejecting claims 29-46.

☐ Enclosed is a check in the amount of \$_____ for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1). **[Applicant claims small entity status. See 37 CFR § 1.27.]**

☐ Please first reapply any previously paid notice of appeal fee and appeal brief.

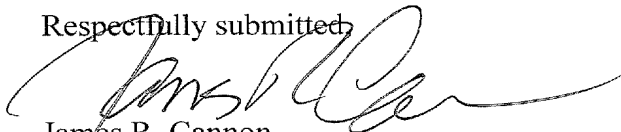
☐ Payment by credit card is requested. Form PTO-2038 is attached.

☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

☐ Also enclosed: _____

☒ The Commissioner is authorized to charge the fee of 510.00 and any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



James R. Cannon
Registration No. 35,839

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400

Facsimile: (919) 854-1401

Customer No. 20792

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on February 29, 2008.

Signature: _____



Joyce Paoli